

IN THE UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

ROBERT ALBORRAN, JR.,

Petitioner

v.

COMMONWEALTH OF
PENNSYLVANIA,

Respondent

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CIVIL NO. 4:CV-15-482

(Judge Brann)

ORDER

May 1, 2015

In accordance with the accompanying Memorandum, **IT IS HEREBY**

ORDERED THAT:

1. In accordance with the Petitioner's Notice of Election (Doc. 5) to discontinue this action, the instant petition is **DEEMED WITHDRAWN**.
2. **DISMISSAL IS WITHOUT PREJUDICE** and Alborran may file another § 2254 petition raising all grounds for relief from his conviction within the one (1) year statutory period prescribed by 28 U.S.C. § 2244(d)(1).
3. The Clerk of Court is directed to **CLOSE** this case.

4. There is no basis for the issuance of a Certificate of Appealability.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge